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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Matthias Fehr

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10/05/2009

REED SMITH, LLP

ATTN: PATENT RECORDS DEPARTMENT

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NEW YORK, NY 10022-7650

EXAMINER

LU, ZHIYU

ART UNIT

PAPER NUMBER

2618

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/552,085	Applicant(s) FEHR ET AL.	
	Examiner ZHIYU LU	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 August 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 28-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 28-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2618

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 28-36 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 28 and 30-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant Admitted Prior Art (hereafter, AAPA, citation refers to published application) in view of Courtney et al. (US6469658), Ono et al. (US5652589), and Anzai et al. (US5793331).

Regarding claim 28, AAPA teaches a wireless microphone system having an HF transmitter, said HF transmitter comprising:

a transmitter housing (inherent in microphone, paragraph 0008);

at least one antenna unit having an antenna and a circulator or an HF isolator, the circulator or HF isolator being connected to the antenna (paragraph 0008);

But, AAPA does not expressly disclose a transmitting amplifier; but decoupling the antenna unit from the transmitting amplifier to ensure that the transmitting amplifier can operate in a constant operating range; said antenna and said circulator or said HF isolator being arranged in a common

Art Unit: 2618

antenna unit housing; and wherein the antenna unit can be plugged in the transmitter housing or screwed onto the transmitter housing such that the antenna unit is replaceable as a unit.

Nevertheless, having a transmitting amplifier is a well-known practice in wireless communication.

Courtney et al. teach a RF transmitter having a transmitting amplifier (22 of Fig. 2); but decoupling the antenna unit (36 of Fig. 2) from the transmitting amplifier to ensure that the transmitting amplifier can operate in a constant operating range (non-variable amplifier provides constant operating range), antenna and HF isolator are arranged as interchangeable components (Fig. 2, column 7 lines 20-29), wherein the antenna unit can be connected with the transmitter housing such that the antenna unit is replaceable as a unit (Fig. 2), which would have been obvious to one of ordinary skill in the art to incorporate said transmitter structure into the system of AAPA, in order to provide convenient antenna adaption.

Moreover, it would have been obvious to one of ordinary skill in the art to put said antenna and circulator into a common housing for replacement, since it has been held that forming in one piece an article which has formally been formed in two pieces and put together involves only routine skill in the art, *Howard v. Detroit Stove Works*, 150 U.S.164 (1893).

Ono et al. further show that antenna and circulator can indeed be arranged in a common antenna unit housing (M of Fig. 3, column 5 lines 62-66), which would have been obvious to one of ordinary skill in the art to modify the system of AAPA and Courtney et al. for preferential practice.

Anzai et al. teach antenna unit can be screwed onto the transmitter housing (microphone itself) such that the antenna unit is replaceable as a unit (column 1 lines 55-60).

Art Unit: 2618

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate replace antenna unit by screwing process taught by Anzai et al. into the wireless microphone system of AAPA, Courtney et al., and Ono et al., in order to replace and fix antenna unit.

Regarding claim 30, AAPA, Courtney et al., Ono et al., and Anzai et al. teach a pocket transmitter microphone as explained in response to claim 28 above.

Regarding claim 31, AAPA, Courtney et al., Ono et al., and Anzai et al. teach a hand transmitter microphone as explained in response to claim 28 above.

Regarding claim 33, AAPA, Courtney et al., Ono et al., and Anzai et al. teach a wireless microphone device as explained in response to claim 28 above.

Regarding claim 35, AAPA, Courtney et al., Ono et al., and Anzai et al. teach a HF transmitter as explained in response to claim 28 above.

Regarding claims 32 and 34, AAPA, Courtney et al., Ono et al., and Anzai et al. teach the limitations of claims 28 and 33.

Courtney et al. teach wherein the antenna unit is tuned to a given frequency range (column 7 lines 22-24).

Art Unit: 2618

3. Claims 33-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant Admitted Prior Art (hereafter, AAPA, citation refers to published application) in view of Courtney et al. (US6469658), and Anzai et al. (US5793331).

Regarding claim 33, AAPA teach a wireless microphone device, comprising:

a receiving device (microphone) having at or in its high frequency input an antenna unit having an antenna said and a circulator or an HF isolator being connected to the antenna (paragraph 0008).

But, AAPA does not expressly disclose said antenna and said circulator or said HF isolator being arranged in a common housing of the antenna unit; and wherein the antenna unit can be plugged in or screwed on such that the antenna unit is replaceable as a unit.

Courtney et al. teach in a RF transmitter where said antenna (36 of Fig. 2) and said circulator (24 of Fig. 2) being arranged as interchangeable components (Fig. 2, column 7 lines 20-29), wherein it would have been obvious to one having ordinary skill in the art at the time the invention was made to put said antenna and said circulator into a common housing for replacement, since it has been held that forming in one piece an article which has formally been formed in two pieces and put together involves only routine skill in the art. *Howard v. Detroit Stove Works*, 150 U.S. 164 (1893).

Anzai et al. teach antenna unit can be screwed on such that the antenna unit is replaceable as a unit (column 1 lines 55-60).

Art Unit: 2618

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate replacing antenna unit by screwing process taught by Anzai et al. into the wireless microphone system of AAPA and Courtney et al., in order replace and fix antenna unit.

Regarding claim 34, AAPA, Courtney et al., and Anzai et al. teach the limitation of claim 33. Courtney et al. teach wherein the antenna unit is tuned to a given frequency range (column 7 lines 22-24).

4. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant Admitted Prior Art (hereafter AAPA, citations refer to published specification) in view of Courtney et al. (US Patent#6469658), Ono et al. (US5652589), Anzai et al. (US Patent#5793331), and Kawasaki et al. (US2002/0197957).

Regarding claim 29, AAPA, Courtney et al., Ono et al., and Anzai et al. teach the limitation of claim 28.

AAPA, Courtney et al., Ono et al., and Anzai et al. teach a hand transmitter microphone or a pocket transmitter microphone, wherein at least one antenna unit is plugged in or screwed on to the hand transmitter microphone or the pocket transmitter microphone (paragraph 0008).

But, AAPA, Courtney et al., Ono et al., and Anzai et al. do not expressly disclose further comprising a receiver, and wherein at least one antenna unit is plugged in or screwed on to the receiver.

Art Unit: 2618

Kawasaki et al. teach a wireless microphone system having a transmitter microphone (101 of Fig. 1) and a receiver (102 of Fig. 1), where obviously antenna unit could be replaceable in view of Courtney's teaching (column 7 lines 20-29) for tuned frequency usage.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a receiver for reception taught by Kawasaki et al. into the wireless microphone system of AAPA, Courtney et al., Ono et al., and Anzai et al., in order to receive microphone transmission with tuned frequency component.

5. Claim 36 is rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant Admitted Prior Art (hereafter AAPA, citations refer to published specification) in view of Courtney et al. (US Patent#6469658), Ono et al. (US5652589), Anzai et al. (US Patent#5793331), and Conover (US Patent#6418377)

Regarding claim 36, AAPA, Courtney et al., Ono et al., and Anzai et al. teach the limitation of claim 35.

But, AAPA, Courtney et al., Ono et al., and Anzai et al. do not expressly disclose wherein the antenna unit comprises a visible identification, coding or color marking indicating the given frequency range.

Conover teach using color coding on antenna, so that purchasers can easily find the appropriate antenna (column 4 line 66 to column 5 line 3), which would have been obvious to one of ordinary skill in the art that the color coding could be modified into usage for frequency range

Art Unit: 2618

coding in view Courtney et al.'s teaching on replaceable antenna unit for different frequency usage.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate using color coding on antenna product taught by Conover into the HF transmitter of AAPA, Courtney et al., Ono et al., and Anzai et al., in order to provide legend for purchasers to find the appropriate antenna unit.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Art Unit: 2618

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ZHIYU LU whose telephone number is (571)272-2837. The examiner can normally be reached on Weekdays: 9AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duc Nguyen can be reached on (571) 272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Zhiyu Lu
Examiner
Art Unit 2618

/Zhiyu Lu/
Examiner, Art Unit 2618
September 30, 2009

/Duc Nguyen/
Supervisory Patent Examiner, Art Unit 2618